



# NRC NEWS

U. S. NUCLEAR REGULATORY COMMISSION

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## **NRC LICENSING BOARD TO CONDUCT SESSIONS MAY 29 ON PROPOSED UTAH SPENT NUCLEAR FUEL STORAGE FACILITY; TIME CHANGED**

The Nuclear Regulatory Commission's Atomic Safety and Licensing Board will conduct two sessions May 29 in Rockville, Md., with the parties involved in the application of Private Fuel Storage, L.L.C. (PFS), to build and operate a temporary above-ground storage facility for spent nuclear fuel on the reservation of the Skull Valley Band of Goshute Indians. The site is about 50 miles southwest of Salt Lake City.

The sessions will begin at 9:30 a.m. EDT in the ASLB hearing room, Third Floor, Two White Flint North Building, 11545 Rockville Pike, Rockville. This is a change in the time announced in an earlier Board order. Attendees should arrive early to provide time for security screening.

In the morning, the Board will hear oral argument focusing on PFS's request that the Board authorize the issuance of a license for a much smaller facility than originally proposed, with the size of the facility temporarily limited such that the aircraft crash hazard would remain below the Commission's safety criterion.

On March 10, the Board blocked issuance of a license to build the facility originally proposed to hold 4,000 spent fuel storage casks because, it held, the probability of an accidental F-16 crash from military aircraft operations conducted near the site exceeded the Commission's applicable probability criterion. PFS has filed with the Board a motion for reconsideration of that decision, proposing that the downsized facility be limited to storage of 336 casks, and has filed with the Commission a petition for review, seeking reversal of the Board decision. Another party to the hearing, the NRC technical staff, has also sought Commission review of the Board decision.

The oral argument will conclude by 12:15 p.m.

PFS has also indicated, in a filing with the Board, that it wishes to proceed to attempt to prove, in a further evidentiary hearing before the Board, that even if an F-16 aircraft crashed into the facility, there would be no appreciable radiation dose consequences and, therefore, that the issue of aircraft crashes should not preclude issuance of a license to store the full 4,000 casks. On the afternoon of May 29, from 1:15 p.m. to 3:00 p.m. the Board will conduct a prehearing conference with the parties to plan that further “consequences” hearing.

Parties presenting argument and participating in the prehearing conference will be the applicant (PFS), the State of Utah, and the NRC staff.

Several other issues remain to be resolved in the PFS hearing. These involve earthquake, rail-line and financial matters, all pending decision by the Board.

Members of the public may attend the May 29 sessions as observers only (although some portions may be closed because of the discussion of proprietary information). The public was offered an opportunity to make oral presentations at earlier sessions, held in Utah, in April 2002 and June 2000. The Board also held evidentiary hearing sessions with the parties, open to the public for observation, in Salt Lake City in the spring of 2002.

Licensing Board members are Michael C. Farrar, Chairman, Dr. Jerry R. Kline, and Dr. Peter S. Lam.

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